

## **BILL ANALYSIS**

Senate Research Center

S.B. 2521  
By: Jackson, Mike  
Intergovernmental Relations  
9/1/2009  
Enrolled

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Continuing development and growth in Brazoria County has created the need for large-scale, permanent improvements such as water supply and distribution facilities, wastewater collection and treatment facilities, drainage and flood control projects, recreational facilities, and major thoroughfare improvements. Article XVI (General Provisions), Section 59 (Conservation and Development of Natural Resources and Parks and Recreational Facilities; Conservation and Reclamation), and Article III (Legislative Department), Section 52 (Counties, Cities or Other Political Corporations or Subdivisions; Lending Credit; Grants; Bonds), Texas Constitution, provide for the creation of local governmental districts which are authorized to incur indebtedness to provide such permanent improvements and to levy taxes for the maintenance and operation of such improvements and for the repayment of such indebtedness.

Pursuant to Article XVI, Section 59, and Article III, Section 52, Texas Constitution, and subject to the continuing supervisory jurisdiction of the Texas Commission on Environmental Quality, the bill creates a municipal utility district, with limited road powers and additional district division powers, to be known as Brazoria County Municipal Utility District No. 63, over a tract of land containing 960.05 acres of land in Brazoria County.

S.B. 2521 creates the Brazoria County Municipal Utility District No. 63, provides authority to impose a tax and issue bonds, and grants a limited power of eminent domain.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subtitle F, Title 6, Special District Local Laws Code, by adding Chapter 8365, as follows:

#### CHAPTER 8365. BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 63

Sets forth standard language for the creation of Brazoria County Municipal Utility District No. 63 (district) in Brazoria County. Sets forth standards, procedures, requirements, and criteria for:

Creation and approval of the district (Sections 8365.001-8365.050);

Size, composition, election, and terms of the board of directors of the district (Sections 8365.051-8365.100);

Powers and duties of the district (Sections 8365.101-8365.150); and

General financial provisions and authority to impose a tax and to issue bonds and obligations for the district (Sections 8365.151-8365.203).

Prohibits the district from exercising the power of eminent domain outside the district to acquire a site or easement for a road project authorized by Section 8365.103 or a recreational facility as defined by Section 49.462 (Definitions), Water Code.

SECTION 2. Sets forth the initial boundaries of the district.

SECTION 3. Provides that all requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act are fulfilled and accomplished.

SECTION 4. Effective date: upon passage or September 1, 2009.